

REMARKS

Claims 1, 3, 7, 9, 13, 15 have been amended, claims 2, 8, and 14 have been canceled, claim and new claims 19-27 have been added to the case. Accordingly, claims 1, 3-7, 9-13, and 15-27 are presented for reconsideration.

Claim 1 has been amended to further define the invention over the art. In particular, the step of converting the truckload freight value has been amended to clarify that it is converted to either a case rate value or a freight rate value. Likewise, the limitation of claim 2 of using a suggested value to trigger analysis has been added. Likewise, steps of determining if an optimal product routing for each of a plurality of lanes should be run; if yes, then running the optimal product routing for each of the plurality of lanes; have been added to the claim. Note that the basis for this optimal product routing analysis may be found at pages 290-298 of applicants' specification. Claims 7 and 12 have been amended in a similar fashion in system and program product format. Also, new claims 19-21 have been added, to cover the aspect of comparing the truckload freight rate against a freight benchmark. The basis for these claims may be found at page 298 of applicants' specification. Also, new dependent claims 22-24 have been added for the aspect of the optimal product routing comprising performing an analysis using both truckload levels and routing by lane. The basis for these claims may be found at pages 290-298 of the specification. Also, new dependent claims 25-27 have been added to the case to cover the aspect of the optimal product routing comprising performing an analysis using both truckload levels and routing by lane and in the event of multiple routing having substantially identical costs, then determining the optimal product routing based on an order of preference of a full truckload quote, partial truckload, and via redistribution at a redistribution center. The basis for these claims may be found at page 294 of applicants' specification.

The original claims had been rejected under 35 USC 102 as being anticipated by O'Neill et al. (6,219,653). This rejection is respectfully traversed to the extent that it is applied to the claims as amended and reconsideration is requested.

O'Neill et al. is directed to a freight calculation system wherein profiles are created of trading relationships between buyers and sellers, and delivery charges are figured based on volume. As a first point, the office action states that the suggested value is the output fields

486 and 488 as described at column 25 of O'Neill et al. However, field 486 is a bar graph that indicates the load volume relative to a maximum load volume, and field 488 indicates a load weight relate to a maximum load weight. There is nothing in this disclosure suggesting a case rate value or a freight rate value as opposed to a pure volume or weight level, much less that it could be provided by the supply chain manager, per several of the dependent claims. Note that in the O'Neill context, a maximum volume or weight would be determined by the truck being used, and not by the supply chain manager.

Importantly, in addition to the suggested value display, O'Neill et al. does not disclose determining if an optimal product routing for each of a plurality of lanes should be run; and if yes, then running the optimal product routing for each of the plurality of lanes.

Likewise, O'Neill et al. does not disclose the operation of comparing the truckload freight rate against a freight benchmark, per new dependent claims 19-21. Likewise, no disclosure has been found in O'Neill et al. of using optimal product routing comprising performing an analysis using both truckload levels and routing by lane. Likewise, O'Neill et al. does not disclose the optimal product routing comprising performing an analysis using both truckload levels and routing by lane and in the event of multiple routing having substantially identical costs, then determining the optimal product routing based on an order of preference of a full truckload quote, partial truckload, and via redistribution at a redistribution center.

In view of the foregoing amendments and remarks, the case is in a condition for allowance. Reconsideration and early passage to issue is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R.

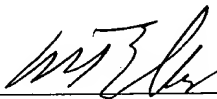
§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

2/9/04

By



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